

1 Anthony P. Condotti, City Attorney, SBN 149886

2 [acondotti@abc-law.com](mailto:acondotti@abc-law.com)

3 Catherine Bronson, Deputy City Attorney, SBN 267527

4 [cbronson@abc-law.com](mailto:cbronson@abc-law.com)

5 Stephanie M. Duck, Deputy City Attorney, SBN 324429

6 [sduck@abc-law.com](mailto:sduck@abc-law.com)

7 ATCHISON, BARISONE & CONDOTTI

8 A Professional Corporation

9 PO Box 481

10 Santa Cruz, CA 95061

11 Telephone: (831) 423-8383

12 Facsimile: (831) 576-2269

13 Attorneys for Defendants

14 CITY OF SANTA CRUZ, MARTIN BERNAL, TONY ELLIOT, and ANDREW MILLS

15 Anthony D. Prince (SBN #202892)

16 General Counsel, California Homeless Union/Statewide Organizing Council

17 Law Offices of Anthony D. Prince

18 2425 Prince Street, Ste. 100

19 Berkeley, CA 94705

20 Tel: 510-301-1472

21 [princelawoffices@yahoo.com](mailto:princelawoffices@yahoo.com)

22 Attorneys for Plaintiffs, SANTA CRUZ HOMELESS UNION,

23 SANTA CRUZ FOOD NOT BOMBS, ALICIA AVALOS,

24 HANNAH HEGEL, CHRIS INGERSOLL and RANDOLPH TOLLEY

25 UNITED STATES DISTRICT COURT

26 NORTHERN DISTRICT OF CALIFORNIA

27 SAN JOSE DIVISION

28 Case No. 5:20-cv-09425-SVK

**STIPULATION OF DISMISSAL [FRCP 41(A)]  
AND ORDER OF DISMISSAL**

Honorable Magistrate Judge Susan van Keulen

21 SANTA CRUZ HOMELESS UNION, on  
22 behalf of itself and those it represents;  
23 SANTA CRUZ FOOD NOT BOMBS;  
24 ALICIA AVALOS, HANNAH HEGEL,  
25 CHRIS INGERSOLL and RANDOLPH  
26 TOLLEY, on behalf of themselves and  
27 similarly situated homeless persons,

28 Plaintiffs,

vs.

CITY OF SANTA CRUZ; MARTIN  
BERNAL, individually and in his official

capacity as City Manager for the City of Santa Cruz; TONY ELLIOT, individually and in his capacity as Director of Parks & Recreation for the City of Santa Cruz; ANDREW MILLS, individually and in his capacity as Chief of Police for the City of Santa Cruz,

Defendants.

Plaintiffs SANTA CRUZ HOMELESS UNION, SANTA CRUZ FOOD NOT BOMBS, ALICIA AVALOS, HANNAH HEGEL, CHRIS INGERSOLL and RANDOLPH TOLLEY, (collectively, "Plaintiffs"), and Defendants CITY OF SANTA CRUZ, MARTIN BERNAL, TONY ELLIOT and ANDREW MILLS (collectively, "Defendants"), hereinafter collectively referred to as "the Parties," by and through their respective counsel, hereby agree and stipulate under Federal Rules of Civil Procedure 41(a)(1)(ii) that this action be dismissed without prejudice as to all claims, causes of action, and parties, with each party bearing that party's own attorney's fees and costs.

IT IS SO STIPULATED.

Dated: July 23, 2021

ATCHISON, BARISONE & CONDOTTI, APC

By: 

CATHERINE BRONSON  
Attorneys for Defendants CITY OF  
SANTA CRUZ, et al.

Dated: July 23, 2021

Law Offices of Anthony D. Prince

By: 

ANTHONY D. PRINCE  
Attorneys for Plaintiffs SANTA CRUZ  
HOMELESS UNION, et al.

~~PROPOSED~~ ORDER OF DISMISSAL

Pursuant to stipulation of the parties under Federal Rules of Civil Procedure 41(a)(1)(ii), IT IS ORDERED THAT THIS ACTION BE, AND HEREBY IS, DISMISSED WITHOUT PREJUDICE as to all claims, causes of action, and parties, with each party bearing that party's own attorney's fees and costs. The Clerk is directed to close the file.

Dated: July 26, 2021

By: Susan van Keulen  
Honorable Magistrate Susan van Keulen